

1 ROBERT HAWKINS #131159
2 CHAPTER 7 TRUSTEE
3 1849 NORTH HELM, SUITE 110
FRESNO, CALIFORNIA 93727
(559) 255-0555

4 Chapter 7 Trustee

5
6 **IN THE UNITED STATES BANKRUPTCY COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
8
9

10 In the Matter of
11 VICTOR PASNICK,

Case No. 15-13932-B-7F
DC No. RHT-10

12 **TRUSTEE'S MOTION FOR**
13 **AUTHORIZATION TO SELL REAL**
PROPERTY AND PAY ORDINARY
COSTS OF SALE AND REAL ESTATE
COMMISSIONS
(11 U.S.C. §363)

14
15 Debtor. /
16

Date: March 1, 2017
Time: 9:30 a.m.
Dept: B

17 **TO THE HONORABLE RENE LASTRETO, II, UNITED STATES BANKRUPTCY**
18 **JUDGE:**

19 Robert Hawkins respectfully represents:

20 1. He is the duly appointed, qualified, and acting trustee for the above-entitled estate.
21 2. The above-captioned case was converted to a proceeding under Chapter 7 on or
about October 7, 2015, and an order for relief was entered. Robert Hawkins was appointed Chapter
23 7 Trustee on or about October 7, 2015.

24 3. This Court has jurisdiction over this proceeding by virtue of 28 U.S.C. Section
25 1334(b) and (d), Section 157(b)(2)(N), and 11 U.S.C. Sections 363. This is a core proceeding.

26 4. Among the assets of this estate is real property commonly known as 4072 North
27 Bengston Avenue, Fresno, California, APN 433-132-02, with a fair market value of approximately
28 \$85,000.00.

5. The Trustee has obtained an offer from Tokatilian Living Trust to purchase the real property for the total sum of \$85,000.00 cash.

6. The Trustee has agreed to pay a commission to Guarantee Real Estate in the amount of six percent (6%) of the purchase price in connection with the sale.

7. The Trustee reviewed the Preliminary Report which indicates that the property is subject to delinquent property taxes totaling \$585.13 and a pending court action by Ray Bergman. The Trustee is informed and believes that the court action has been dismissed. After payment of the property taxes, commissions, and escrow costs, the Trustee expects the net proceeds from the sale to be approximately \$77,614.00.

8. Said offer is the best and highest offer received for the property and, in the opinion of the Trustee, said offer is for the full and fair market value of the property. Said sale is subject to higher and better offer in increments of \$1,000.00.

9. The Trustee believes that confirmation of the sale on the terms set forth above is in the best interest of the creditors of this estate and all parties in interest.

WHEREFORE, the Trustee prays that, after appropriate notice and opportunity to be heard, he be authorized to sell the above-described asset to Tokatilian Living Trust, or nominee, for the total sum of \$85,000.00, subject to higher and better offer at the hearing on confirmation of said sale, and that the Court authorize the payment of ordinary sale costs as contemplated by the parties in order to close escrow.

DATED: FEBRUARY 2, 2017

/S/Robert Hawkins
ROBERT HAWKINS,
Chapter 7 Trustee